



ECONOMIC RIGHTS OF WOMEN IN ISLAM

DISSERTATION

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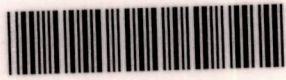
Master of Philosophy In Islamic Studies

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CERTIFICATE

*Certified that the M.Phil. dissertation entitled “**Economic Rights of Women in Islam**” has been carried out under my supervision by **Ms .Farheen Tahir.***

Also certified that this is her own original contribution and is fit for submission for the award of the degree of M.Phil. in Islamic Studies.


(Dr. Rais Fatima)
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CONTENT

ACKNOWLEDGEMENT

INTRODUCTION **1-7**

CHAPTER-1 **8-31**

POSITION OF WOMEN IN PRE-ISLAMIC SOCIETIES

CHAPTER-2 **32-59**

STATUS OF WOMEN IN THE HOLY QUR'AN

CHAPTER-3 **60-81**

ECONOMIC RIGHTS OF WOMEN IN ISLAM

CONCLUSION **82-86**

BIBLIOGRAPHY **87-93**

Introduction

INTRODUCTION

The condition of women in Islam and their rights are undoubtedly one of the most controversial and serious issues facing by the Muslim world in modern era. Thousands of articles, monographs and books were written; countless seminars were held, various organizations were formed to cover this issue, maintaining that it was Islam that *gave the women her rights and honour*.

Before the advent of Islam the women were living in a dark ages and they were ill treated by their men folks and the society as well. Islam was the first religion in the world that creates a unique position of women in the society and granted her honour, dignity and various rights.

The main purpose of this study is to highlight the economic right of women in Islam and to remove misconception about rights and status of women in Islam and in Qur'anic society. The work shows that how Islam elevated the position of women in the society.

The main objectives of my study are:

- Identify the position of woman in Islam.
- Examine her status and role in the Muslim society.

- Special study on economic rights of women in Islam to discover her economic stability in the society.

The data which is obtained is divided into two categories on the basis of sources:

1. Primary sources: Qur'an and Hadith (Sayings of the Prophet Muhammad (PBUH)).
2. Secondary sources: works of some eminent scholars and feminist. Jamal Al-Badawi , Leila Ahmad , S.S. Nadvi , Jalaluddin Omari , Maulana Maududi ,Wahiduddin khan,Ashgar Ali eng. Maryam Jameelah, etc.

My work is divided into three chapters:

Chapter I: Chapter one entitled, “Status of woman in pre Islamic civilizations and different societies” deals with the discussion of position and role of woman in different societies, i.e., Greek, Roman, Chinese and Indian civilization in detail. The issue of female infanticide in pre Islamic Arabia and emancipation made by Islam is also discussed.

Chapter II: “Status of women in the Holy Qur'an”. It examines the role and status of woman in the society on the basis of Qur'anic verses and the sayings of Prophet Muhammad (PBUH). Several examples

and *Hadith* were taken from the authentic sources to draw out the conclusions regarding the status of women.

Chapter III: As the name of the third chapter “Economic rights of women in Islam” indicates, which is also the main theme of the study is basically to analyze the economic freedom of women and to identify the economic activities of women prescribed by Islamic shariah. The emphasis of this section is laid on the following points - the present scenario of struggling, the war between two sexes, and obtaining the economic stability. The study of the 4th chapter of the Holy Qur’an “Al-Nisa”, make it clear that woman has right to inherit, right to dower, right to maintenance, right to take part in economic activities etc.

The dissertation work is being concluded and the result comes out that, the women in Islam enjoys a special status and entrusted by several rights provided by Islamic shariah viz. the right to contract, to enterprise, to earn and posses independently. Woman has an incredible economic status as she is more secure than a man as far as the economic stability is concerned. All the above mentioned points are covered in this chapter and I believe that the results of my thorough work will definitely draw some awareness in the society leading to economic rights of women.

Survey of the Literature:

Woman in Islam :Aligarh Jalaluddin Omari (1990)

Omari has observed that the Qur'an asks both men and women to perform, in equal measure, the duty of enjoining good and forbidding evil

Purdah and the Status of Woman in Islam :Maulana Maududi(1976)

Maulana Maududi analyzes /investigate that equality in the creation of man and woman highlighted in the Qur'an is not only a theoretical statement but a living reality. It was empirically established by the Prophet Muhammad through his organization of the society in Madina. No sex determination was practiced by the prophet or his righteous caliphs.

Women in Islam: Its Meanings and Message :jamal badawi (1975)

Badawi's(Egyptian-Canadian professor) discussed in his book that both men and women, in Islam, are equally subservient to God and obliged to worship Him and obey His commands in their daily life. Men and women have to pray, fast, give charity, go on pilgrimage and refrain from all sins .Badawi scrutinize that Islamic history bear witness to the fact that in Islam woman has even enjoyed equality with man in political rights, right to participate in election as well as the right to nomination to political offices. It also includes her right to participate

in public affairs during the period of the Prophet Mohammed and caliphs. Muslim women had already engaged themselves in performing various duties of legislative, consultative, executive and judicial nature.

Leile Ahmad (Egyptian American writer and Islamic feminism) has observed that on equality in obligation and reward, Islam treats both, man or woman, equally in that whoever leads a pious life in accordance with divine guidance is entitled in equal measure to attain salvation and eternal success in here after life.

***Islam and Modern Woman Today* : Maryam Jameelah (1970)**

Maryam Jameelah finds in her work that the holy Qur'an has laid therefore a great stress on the spiritual equality of man and woman. Both man and woman are equally obliged to practice the principles of Islam and their deeds are equally regarded. No discrimination would be made against or in favour of either on the basis of their sex for rewards and punishments. This signifies the spiritual equality between man and woman.

Woman in Islam: Lemu, B.A. and Fatima Heeran (1976) findings that both men and women are created as vicegerents of God on earth. They are expected not only to obey His commandment but to establish them in their entirety in the human society. In Islam, both man and woman

aim to gain divine empowerment through their struggle of implementing the divine code of life. That is why; men and women do not stand against one another in Islam, but harmonize each other to fulfil their cooperative role and they will be rewarded on the basis on their deeds.

Heroic Deeds of Muslim Women: S.S. Nadvi (1990)

Discovered that Islam allows full freedom of expression to woman as much as to man. During the prophet's time, women used to consult him regarding personal, political, religious, economic and social matters as well as matters related to women's role in war. Sometimes they used to have frank and bold discussions with him; arguing and forcefully putting forth their own point of view in front of other companions. The prophet never discouraged them and always listened to all their problems peacefully and tried to satisfy them.

The survey of literature shows that Islam never underestimated women's role in society. She can participate in religious, social, economic and political affairs. Women assigned a prominent position at social level. Therefore, she can lead a dignified life without becoming a victim of any inadequacy.

The present work is a humble attempt to highlight the Status, Role and Economic rights of women in Islam. It reveals also the fact that it is a

misconception and misunderstanding that women have been underestimated and not treated equally on the bases of sex in Islam.

Chapter-I
Status of Women in
Pre- Islamic
Societies

Numerous misconceptions about women in Islam have been created in modern times. Among which one of the most attractive issue is the position of women in Islam. It is declared that Islam does not admit the equality of sexes and consequently the woman is denied her role in the society. But the fact is that Islam was the first religion to accord her a place of dignity and honour in the society. Man and woman are equal before Allah and they are treated with the same yardstick.

Under the banner of Islam, there is no discrimination for woman. A woman can enjoy the right to own property, right to get education. In Islam a women have the right to vote, right to choose her husband and also abandon him as per her choice.

In modern period, people use to think that woman is librated in the west and this liberation movement began in 20th century. But a few people may know that Islam was the first religion putting gender equality and gender justice in practice and it bestowed equal right to woman 1400 years ago. Allah revealed to the prophet (PBUH) that each and every woman has the freedom of choice and expression. In terms of the contribution to the society, the status of women

economically is unique, women are entitled to receive marital gifts, keep properties and income for their own security.

Before the advent of Islam and the arrival of prophet hood, the history of women was the history of subjugation and oppression. She was considered as a mean creature and underestimated. She was regarded as the root causes of all evils and disasters. Instructions were given to be careful about her and to avoid her like snake and scorpions. In such a dark period of history Islam raised its voice against the oppression and exploitation of woman and give her a dignified place in the society, today no one can imagine that her previous position was correct an real. To understand the status of women in Islam we have to look into the conditions of women in other cultures, which can help us to realize that what changes Islam brought to strengthen the status of woman in a Islamic society.

Women in Greek Society

In the history of Greek civilization, which is the oldest civilization in the world, the position of woman was very low in spite of their very civilized culture.

They were regarded woman as a burden on human being and used to think that the only purpose of woman was to serve the man in

the house like a maid. In spite of all their motivated ideals and rationalism the Greek had very ridiculous concept about woman, they used to say, "There is a cure for burning by fire and snake bite but there is no cure for a woman's mischief."¹ There was no system to protect women in the society. They were deprived of the right to education, right of inheritance and were considered as minor with no rights to own property and business. Women were subjected to the will of men throughout their lives. Law provided her with the right of divorce but practically, it was of no success because the act of going to court was considered as the act of shame and disgrace in the Greek society.

Gustav le bon, the French thinker, stated about the status of women in the Greek society in his book "Arab Civilization"

"Greek is general considered women to be the lowest creature of the low. They were useful for nothing other than reproduction and taking care of the household affairs. If a woman gave birth to an ugly retarded or handicapped child, the man could take the liberty to kill the (unwanted or undesirable child)."²

The concept of woman in the Greek civilization can be summed up in the words of Socrates. He stated -

“Woman is the greatest source of chaos and disruption in the world. She is like *dafali* tree which outwardly looks very beautiful but if sparrows eat it they die without fail.”³

Women in Roman Society

The Roman law kept the status of woman very low for a long time. Either the head of the family or the husband had full authority over his wife and children. The authority of man over woman in the roman society included the right to sell her, punish her with tortuous punishments, and sends her in to exile or to kill her. The woman in roman society had to listen, to obey all commandments given by the man. They were deprived of the right to inheritance.

A Roman wife was described by a historian as:

“A babe, a minor, a ward, a person incapable of doing or acting anything according to her owns individual taste, a person continually under the tutelage and guardianship of her husband.”⁴

Status of Women in Chinese Society

In Chinese civilisation women had been called the, “water of woe” that washes away all good fortune. Chinese always had been regarded woman as inferior to man and she has conceded no rights. A woman was considered as a minor. A man could sell his wife as

concubine. After widowhood it was almost impossible for her to remarry, with all this went slavery and infanticide. The status of woman in the Chinese society was not much better than that of pre – Islamic Arabia and the Indian societies.⁵

Status of Women in Jewish Society

Woman in traditional Jewish society were not considered more fortunate. The concept of Judaism about woman is that she is weak and malicious. They believe that woman is responsible for all the wickedness

According to Hebrew scripture, the woman is under an eternal Divine curse. ‘Of the woman came is beginning sin and through her well all die.’⁶ is a belief which hold poor woman responsible for all the wickedness of man. Hence her degradation in Jewish society ,where she was considered not as a creature worthy of honour but as one who could be deserve subjected to any amount of insults, and reduced to the position of a mere chattel in the house.

Status of Women in Hinduism

In Hinduism women were also treated as a slave or maid, they used to think that a woman whether matures or young cannot act independently. It is sin for a woman to sacrifice or fast. Her duty is

only to serve her husband. She has no right to remarry after the death of her husband. The widow was consigned to flames at the funeral pyre of her dead husband. This practice is called “sati” continued until the end of the 17th century.

In certain region of India, women were offered to the priest as concubines, or as prostitute to be exploited. In others regions, they were sacrificed to the Hindu gods to please them or to seek rain. Some Hindu laws even declare that, “The blowing wind or tornadoes, death, hellfire, poison, snakes and fire are no less harmful than women.” ⁵

Women in Christianity

The doctrine of Christianity is based upon of original sin for which women were hold responsible:

“The woman whom thou gravest to me, she gave me of the tree I did eat.”

Eve first committed the sin and caused the fall of Adam. Thus actually she was responsible for the sins of humanity and God has to send His, “only begotten son”, Jesus Christ, to be crucified and to wash off the sins of humanity with his blood. This is the summary of Christian faith. The attitude of Christianity towards woman had been worse.

According to father Tertullian (A.D.150):

“The woman opens the doors of satanic temptation leads man to the forbidden tree; break the law of God and corrupt man the idea of God”.⁶

According to St. Gregory Thaumaturgus,

“I sought for chastity proper to them, and I found it among none, verily a person may find one man chaste among a thousand, but among women never.”⁷

That was the pitiable condition of woman under different cultures and religions. Before the advent of Islam, the condition of women was highly miserable throughout the world. Let's have a glimpse over the position of woman in pre- Islamic Arabia.

Status of women in pre –Islamic Arabia

The situation of women was markedly worse in the Arabian Peninsula – the birth place of Islam. The Arabs regarded the existence of women as a disgrace and some cruel persons used to bury their daughter's alive. ⁸

In pre Islamic Arabia daughter was considered an unwanted burden and expendable. The birth of a daughter was embarrassing for the father, who considered it a disgrace and a matter of shame.

Therefore, the Arabs of that time practiced widely “female infanticide”. This custom was common among the Arabs and it prevailed as a generous act. It was said proverbially, "The dispatch of daughters is a kindness" and "The burial of daughters is a noble deed."⁹

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ

“When news is brought to one of them, of (the birth of) a female (child), his face darkens, and he is filled with inward grief!

“With shame does he hide himself from his people, because of the bad news he has had? Shall he retain it on (sufferance and) contempt, or bury it in the dust? Ah! What an evil (choice) they decide on?” (Ch: 16V:5859).¹⁰

The practice of female infanticide has become the ultimate symbol of women’s oppression in pre Islamic Arabia. There is no doubt that Arabs committed infanticide before Islam. It was usually prompted by one of two reasons: fear of poverty and fear of disgrace. The first reason is related with the common famines caused by lack of rain and the fear of poverty that would result from providing for girls who were viewed as less productive than boys. Fathers were afraid that they would have useless mouths to feed.

The Quran admonishes the Arabs against killing their children for fear of poverty and promises sustenance for them:

وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا

“Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin.”
(Ch17: V: 31).¹¹

The tribe was the main unit of the society before Islam. Laws and customs in this tribal society varied from one area to another. For this reason we find different account of women's status during the period of jahiliyyah. Arabia before Islam was a society where there were no rules, the strong dominated the weak.

Alongside the examples of strong and independent women, there are numerous examples of women having an inferior status. Female infanticide, for instance, was practiced by father who did not value their daughters as much as they valued their sons. Women were often deprived of their basic rights to choose their husband freely, to divorce if ill-treated or to inherit from their families. Even the poetry of that time indicates that the women were the subject of lust rather

than respect. The poetry of that time focused more on the physical attributes of the women in spite of the moral beauty.¹²

In pre Islamic Arabian society the institution of marriage was very flexible, various types of loose marriages were prevailing in pre Islamic society e.g. marriage by agreement, marriage by capture, marriage by purchase and marriage by inheritance. .These movable forms of marriages reveals the true position of women at that time.

Marriage by agreement: This type of marriage is based on mutual agreement between man and woman's family. In some tribes women left her house and moved to her permanent house in her husband's tribe. In this case the offspring of that woman /was related to/is only belongs with father's tribe not of the mother's. In some other tribes the woman did not leave her tribe but she can marry within the tribe and outside/some other tribe as well. Only In this case the children belonged to the mother's tribe and the women of these tribes enjoyed freedom and they had right to dismiss their husband.

Marriage by capture: At the time of war women were often captured and taken to the slave market and sold as a slave or bride. In this marriage a woman has to follow her husband in each and every

field. Thus, she lost her freedom completely. The husband was known as the woman's lord or owner.

Marriage by purchase: In this type of marriage parents gave their daughters away in return of dower which consisted horses and camels mainly. It developed friendly relation between different tribes. This type of marriages also contributed to the decline of female infanticide. Giving away daughters for a good dower is more profitable than burying her.

Marriage by inheritance: This was a widespread custom throughout Arabia, including Medina and Mecca, in this system the heir of the deceased inherited his wife. He could then keep her as a wife or give her away in marriage for a dowry or forbid her from remarriage altogether. It is related in Tabari's commentary: "In the Jahiliyyah when a man's father or brother or son died and left a widow, the dead man's heir, if he came at once and threw his garment over her, had the right to marry her under the dowry of her deceased husband or to give her in marriage and take her dowry. But if she anticipated him and went off to her own people, then the disposal of her hand belonged to herself."¹³

Temporary (mot'a) marriage: This marriage is based on contract between man and women without their parent's witnesses. Man only said "suitor" and she replied "I wed". This marriage was practiced by travellers and strangers and in temporary marriage women did not leave her home and the children neither belong to their father nor inherited from their wealth .¹⁴

Marriage by exchange (shigar): In this marriage a man could exchange his wife or daughter for another man's wife or daughter without having paid a dowry.

There were also some other types of marriages and cohabitation which has been frequently described in Arabic poetry. Polygamy (marrying more than one wife) and polyandry (marry more than one husband) was also commonly practiced at that time. A man could have hundred wives at a time.

So, we can say that the marriage institution were flexible and not in a uniform structure in pre- Islamic Arabia. In all the different forms of marriage and cohabitation, only marriage by agreement resembles the marriage permitted in Islam.

Likewise the marriage institution the divorce system in pre-Islamic Arabia was also same. As marriage was often an agreement

between men and women and their parents, so was divorce. There were no restrictions on divorce, a man was free to divorce his wife any time and any number of times and reunite at will. While Islamic law forbade remarriage to a woman who was divorced in pregnancy, in pre-Islamic Arabia, a pregnant divorced woman could be taken by another man under agreement with her former husband.

Inheritance

In Arabia women were excluded of inheriting from their parent's property. It has been shown that at the time of Jahiliyyah most of the tribe's women deprived of their basic rights like – right to choose her husband, right to divorce, right to inherit from their husband or father's wealth. In some other tribes women had a good position that they could marry and divorce at per her will, they were engaged in trade and hold properties.

It was usually among the tribes where there were still traces of an ancient matriarchal culture which dictated that the woman remain with her tribe after marriage. In this case, whatever she inherited would stay within the tribe and pass on to her children who belonged to her kin. In other types of marriage where the woman left her tribe, her rights of inheritance were reduced as much as possible, since her

inheritance would fall in the hands of another tribe. In places such as Medina, where marriage by purchase was the rule, women fared much worse. She could not inherit because she herself was part of her husband's estate to be inherited.

In fact, when Islam commands that sisters and daughters were entitled to a share of inheritance, men of Medina protested against the rule.

Woman in Islam

It was Islam that for the first time vindicated the right of women and gave them a status unknown, unthought-of even this day. Islam came in to the land of Arabia when women were tyrannized and cruelly treated by their mates. Her history was the history of oppression and injustice. As previously mentioned, in pre- Islamic society of Arabia the status of women was worse. Women had no social respect and have no right in the property of their parents and of their husbands. Men had absolute domination over them. Women had no independence or power over issues relating to their well being, they were excluded from all types social activities. They were underestimated and considered as a mean creature. They were thrown in a deep and dark pit of oppression and tyranny of men that there

seemed no hope of their redemption. That was the condition of women in Arabia particularly, immediately before Islam. The woman stood somewhere between the animal world and were not regarded as a human being.

Before Islam a man could marry as many wives as he liked and could divorced as he wished. After making a thorough study above we have seen that how brutally and unkindly women were treated by different religions and societies. Now, it will be possible for us to understand easily the achievement of Islam in this direction. Islam removed the label of “wickedness” and “impurity” which the other religion of the world had placed upon women.

The Glorious Quran proclaimed that:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالنَّارُ حَامٍ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

O mankind! Reverence your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;- reverence Allah, through whom ye demand your mutual (rights), and (reverence)

the wombs (That bore you): for Allah ever watches over you “(Ch: 4, V: 1).¹⁶

Islam refuted the Biblical statement that the woman first deceived and she was, therefore, responsible for the fate of Adam. Glorious Quran says:-

وَقُلْنَا يَا آدَمُ اسْكُنْ أَنْتَ وَزَوْجُكَ الْجَنَّةَ وَكُلَا مِنْهَا رَغَدًا
حَيْثُ شِئْتُمَا وَلَا تَقْرَبَا هَذِهِ الشَّجَرَةَ فَتَكُونَا مِنَ الظَّالِمِينَ
فَأَزَلَّهُمَا الشَّيْطَانُ عَنْهَا فَأَخْرَجَهُمَا مِمَّا كَانَا فِيهِ وَقُلْنَا
اهْبِطُوا بَعْضُكُمْ لِبَعْضٍ عَدُوٌّ وَلَكُمْ فِي الْأَرْضِ مُسْتَقَرٌّ
وَمَتَاعٌ إِلَى حِينٍ

We said: "O Adam! Dwell thou and thy wife in the Garden; and eat of the bountiful things therein as (where and when) ye will; but approach not this tree, or ye run into harm and transgression." Then did Satan make them slip from the (garden), and get them out of the state (of felicity) in which they had been.

We said: "Get you down, all (ye people), with enmity between yourselves. On earth will be your dwelling-place and your means of livelihood (Ch: 2, V: 35-36).¹⁷

Islam lifted women from the depth of disgrace and ignorance. Islam declared woman spiritually, intellectually, socially equal. Allah revealed through His messenger Muhammad (PBUH) that, “Allah shall reward the Muslim with entry to paradise who neither buried his daughter alive nor meted out ignorable treatment to her.” Islam granted women right to live and banned female infanticide. Islam was the first to recognised woman as a free and responsible human being and assigned various important positions to her. In Islam the women enjoyed different rights according to their role as a mother, as a daughter, wife and sister. For every role of women Islam provides various rights through which her status and position became incredible in the society. Islam creates a unique status and position of woman in the society and gave her more respect and freedom. Islam declared that woman also has her purpose and right to exist in the world as man. There are several verses in the Quran about the creation of woman, their rights, role and duties.

Quran says:

لِلّٰهِ مُلْكُ السَّمَاوَاتِ وَٱلْأَرْضِ يَخْلُقُ مَا يَشَآءُ يَهَبُ لِمَن يَشَآءُ إِنَآثًا
أَوْ يُزَوِّجُهُمْ ذُكْرَآءً وَإِنَآثًا وَيَجْعَلُ مَن يَشَآءُ عَقِيمًا إِنَّهُ عَلِيمٌ قَدِيرٌ

To Allah belongs the dominion of the heavens and the earth. He creates what He wills (and plans). He bestows (children) male or female according to His Will (and Plan),

He bestows both males and females, and He leaves barren whom He will: for He is full of Knowledge and Power. (Ch: 42, V: 49-50)¹⁸

Woman is identified by Islam as a full and equal partner of man. Both are essential for the life and play an important role as a father and mother in the reproduction of humankind. She is entitled equal share rights in every aspect of Life.

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ
نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا
فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَهُمْ رُسُلُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا
مِّنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ

On that account: We ordained for the children of Israel that if any one slew a person - unless it be for murder or for spreading mischief in the land - it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people. Then although there came to them Our apostles with clear signs, yet,

even after that, many of them continued to commit excesses in the land (CH: 5, V: 32)¹⁹.

She was given the right to life Glorious Quran says:

قُلْ تَعَالَوْا أَتْلُ مَا حَرَّمَ رَبِّيَ عَلَيْهِ تَشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا
وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِنْ إِمْلَاقٍ نَحْنُ نَرْزُقُكُمْ وَإِيَّاهُمْ وَلَا تَقْرَبُوا الْفَوَاحِشَ مَا
ظَهَرَ مِنْهَا وَمَا بَطَنَ وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ذَلِكَم
وَصَّاكُمْ بِهِ لَعَلَّكُمْ تَعْقِلُونَ

"Come, I will rehearse what Allah hath (really) prohibited you from:

Join not anything as equal with Him; be good to your parents; kill not your children on a plea of want; - We provide sustenance for you and for them; - come not nigh to shameful deeds. Whether open or secret; take not life, which Allah hath made sacred, except by way of justice and law: thus doth He command you, that ye may learn wisdom.

(Ch6:V:151)²⁰

Through this Allah declared that every creature has its own purpose and to live their life, so this verse put a question on the practisers of female infanticide, who buried their daughters without any reason.

إِنَّا عَرَضْنَا الْأَمَانَةَ عَلَى السَّمَاوَاتِ وَالْأَرْضِ وَالْجِبَالِ فَأَبَيْنَ أَنْ
يَحْمِلْنَهَا وَأَشْفَقْنَ مِنْهَا وَحَمَلَهَا الْإِنْسَانُ إِنَّهُ كَانَ ظَلُومًا جَهُولًا

*“We did indeed offer the Trust to the Heavens and the Earth and the Mountains; but they refused to undertake it, being afraid thereof: but man undertook it; - He was indeed unjust and foolish.”(Ch: 33V:72).*²¹

The Quran declares that every human being is having the ability to think, to have knowledge thus, they should respected each other

At every place in the Holy Quran, Allah addresses men and women equally and ordered the same. Through which we can understand that there is no discrimination between both sexes. Woman also has their role and status in the society just like man. Islam elevates her position and granted various rights and orders to enjoy her life.

Islam raised the status of woman, which was never expected throughout the period of Jahiliyyah.

The messenger of Islam Muhammad (PBUH) also declared women as a free entity. He was the first reformist to raise the condition of women in Arabia and all over the world. The Holy prophet (PBUH) has ordered numerous instructions in favour of women, which she

never received before and could not imagine receiving from the modern upholder of women's rights.

Pierre Crabites an American Judge who was familiar with Muslim law, wrote: "Muhammad was probably the greatest champion of women's rights the world has ever seen. Islam conferred upon the Muslim wife property rights exactly the same as her husband. She is free to dispose and manage her financial assets as she please without let or hindrance from her husband."²³

On the one hand, Islam safeguards all her rights by law and on the other; instruct society to provide her a kind and fair treatment. Islam creates such an environment that whatever position woman hold, it should be with all her dignity and honour.

Prophet (PBUH) said:

"Allah has forbidden you, disobedient unto your mothers, refusal to sanction rights, accumulation of wealth from all sides and burial of living daughters" .²⁴

Islam revolutionaries the thinking of mankind while they underestimated women, buried their female infant and prefer sons over daughters. Islam has exchanged the position of women from the Jahiliya period where they considered woman's innocence and beauty

for trade, slavery and for lust only. Islam declared that she is not a market commodity. At last we can say that Islam took out her from the whirlpool of cruelty and injustice.

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Chapter-II
Status Women In
the Holy Qur'an

The Qur'an and Hadith are basic sources through which one can easily understand the status of women in the Muslim society and Islam as well. The Qur'an always places man and woman in a similar category. Holy Qur'an proclaimed that the status of woman is neither inferior nor she is a lower creature. Woman is bestowed with equal rights as a man has; but not same because they both play different roles in the society. Man is the father, woman is the mother. And man is solely responsible for the maintenance and protection of his family. A deep study of Islamic literature unveiled the women's existence and her status. As a woman she proceeds from the same essence and same species as man. She is an independent co-sharer and a true partner of man. As a minor girl she enjoys the protection of her parents or guardians, as a wife she is not only a distinct individuality but a queen in her home. As a mother she has a unique prestige of having the very paradise under her feet. As a divorced wife or a widow she is perfectly free to do what is decent and reasonable, and she has an adequate provision for her maintenance during the period of iddah. Thus we see that a Muslim woman in Islam, is a far superior to man.

The status of woman in Islam is unique, unexpected and incredible, which has no similarity in any other religion. Islam has established

rights and duties for the woman which suit her nature and give her security and protection against disgraceful conditions. In the modern era if we look at the democratic nations and western world we find that women are not happy with their position as well as condition. The rights of woman of modern times were not granted willingly or by kindness, and not through natural process or divine teachings. Modern woman reached her present position by force. They are struggling hard for her livelihood, to appear as an equal to man and make great effort to make their position honourable in today's world, but they are still not obtaining what Islam has been gifted to Muslim women. Glorious Qur'an says:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا
 زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ
 بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا .

*O mankind! Reverence your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women; reverence Allah, through whom ye demand your mutual (rights), and (reverence) the wombs (That bore you): for Allah ever watches over you. (Ch:49V:13)*¹

Woman is recognised by Islam as a full and equal partner of a man, her role is also essential as his. She is equal to man in bearing private and general responsibilities. No one is inferior or superior both are the component of each other. As Allah the Beneficent has proclaimed in the Holy Qur'an that man and woman are equal in His eyes and both will be rewarded or punished according to their deeds i.e. good or evil.

The Qur'an says:

فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَامِلٍ مِّنْكُمْ مِّمَّنْ ذَكَرَ أَبُو
أَنْتَى بَعْضُكُمْ مِّنْ بَعْضٍ فَالَّذِينَ هَاجَرُوا وَأُخْرِجُوا مِنْ دِيَارِهِمْ
وَأُودُوا فِي سَبِيلِي وَقَاتَلُوا وَقُتِلُوا لَأُكَفِّرَنَّ عَنْهُمْ سَيِّئَاتِهِمْ وَلَأُدْخِلَنَّهُمْ
جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ ثَوَابًا مِّنْ عِنْدِ اللَّهِ وَاللَّهُ عِنْدَهُ حُسْنُ
التَّوَابِ

"And their Lord hath accepted of them, and answered them: "Never will I suffer to be lost the work of any of you, be he male or female: Ye are members, one of another: Those who have left their homes, or been driven out there from, or suffered harm in My Cause, or fought or been slain,- verily, I will blot out from them their iniquities, and admit them into Gardens with rivers flowing beneath;- A reward from the presence of Allah, and from His presence is the best of rewards." Let not the strutting through." (3:195).²

وَمَنْ أَحْسَنُ دِينًا مِّمَّنْ أَسْلَمَ وَجْهَهُ لِلَّهِ وَهُوَ مُحْسِنٌ وَاتَّبَعَ مِلَّةَ
إِبْرَاهِيمَ حَنِيفًا وَاتَّخَذَ اللَّهُ إِبْرَاهِيمَ خَلِيلًا

“If any do deeds of righteousness, - be they male or female - and have faith, they will enter Heaven, and not the least injustice will be done to them.” (4:124).³

The Qur'an declared woman as a free entity and granted her several rights which man had not. She is exempted from some religious duties i.e. prayer and fasting, during her menstruation and at the time of child birth. She is free from all types of financial liabilities.

Allah provided various rights and duties in the Holy Qur'an in favour of woman according to her different role. There are three prominent positions of woman at home – mother, daughter, wife. Islam bestows great rank and position on her in all her three roles. No one can pull back from this high position while she remains in the bondage of Islam.

Woman as a Mother

Islam assigns the highest rank after the Almighty Allah and His prophet (PBUH) to the mother.

The woman as mother has special importance and honourable place in the society. She brings up the child in her womb for nine months and

bears the pain of delivery, feeds him for at least two years and nurtures him up to the age of six or seven. Islam instructed man to give just and fair treatment to their parents.

Holy Qur'an says:

وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَى وَهْنٍ وَفِصَالُهُ فِي عَامَيْنِ أَنْ اشْكُرْ لِي وَلِوَالِدَيْكَ إِلَيَّ الْمَصِيرُ

"And we have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him, and in years twain was his weaning: (hear the command), "Show gratitude to me and to thy parents: to me is (thy final) Goal." (31:14).⁴

Furthermore, Qur'an suggested for her good treatment as a mother, God has declared that:

وَقَضَىٰ رَبُّكَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ وَبِالْوَالِدَيْنِ إِحْسَانًا إِمَّا يَبُلُغَنَّ عِنْدَكَ الْكِبَرَ أَحَدُهُمَا أَوْ كِلَاهُمَا فَلَا تَقُلْ لَهُمَا أَفٍّ وَلَا تَنْهَرُهُمَا وَقُلْ لَهُمَا قَوْلًا كَرِيمًا

"Thy Lord hath decreed that ye worship none but Him, and that ye be kind to parents. Whether one or both of them attain old age in thy life, say not to them a word of contempt, nor repel them, but address them in terms of honour." (17:23)⁵

She enjoys more respect and honour as a mother; she is entitled third fourth of the children's love and one fourth left for their father. A man came to the prophet Muhammad (PBUH) and enquired:

“O messenger of God, who among the people is more worthy is the most worthy of my good company? The prophet said, your mother. The man said then who? The prophet said: then your mother. The man further asked, Then who? The prophet said: then your mother. The man asked again, then who? The prophet said: then your father.”⁶

Right of a Mother

Woman As a mother deserves more love, care and respect because she made her womb a vessel for us and nourished us from her breast.

Allah says:

وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ إِحْسَانًا حَمَلَتْهُ أُمُّهُ كُرْهًا
وَوَضَعَتْهُ كُرْهًا وَحَمْلُهُ وَفِصَالُهُ ثَلَاثُونَ شَهْرًا حَتَّىٰ إِذَا بَلَغَ أَشُدَّهُ
وَبَلَغَ أَرْبَعِينَ سَنَةً قَالَ رَبِّ أَوْزِعْنِي أَنْ أَشْكُرَ نِعْمَتَكَ الَّتِي أَنْعَمْتَ
عَلَيَّ وَعَلَىٰ وَالِدَيَّ وَأَنْ أَعْمَلَ صَالِحًا تَرْضَاهُ وَأَصْلِحْ لِي فِي
دُرِّيَّتِي إِنَّي تُبْتُ إِلَيْكَ وَإِنِّي مِنَ الْمُسْلِمِينَ

“We have enjoined on man kindness to his parents: In pain did his mother bear him, and in pain did she give him birth. The carrying of the (child) to his weaning is (a period of) thirty months. At length,

when he reaches the age of full strength and attains forty years, he says, "O my Lord! Grant me that I may be grateful for Thy favour which Thou has bestowed upon me, and upon both my parents, and that I may work righteousness such as Thou mayest approve; and be gracious to me in my issue. Truly have I turned to Thee and truly do I bow (to Thee) in Islam." (Ch: 46 V: 15).⁷

The holy Qur'an says look after your parents and treat them with respect never disobey you parents, particularly mother who given you birth in extreme pain. Above Qur'anic verses and the teaching of prophet clear the right of mother in Islam so we must obey our mother and treat them with love.

Allah says:

وَأِنْ جَاهَدَاكَ عَلَى أَنْ تُشْرِكَ بِي مَا لَيْسَ لَكَ بِهِ عِلْمٌ

فَلَا إِلَيَّ تُمْ إِلَيَّ نَطِغُهُمَا وَصَاحِبُهُمَا فِي الدُّنْيَا مَعْرُوفًا وَاتَّبِعْ سَبِيلَ مَنْ أَنَابَ

مَرْجِعُكُمْ فَأُنَبِّئُكُمْ بِمَا كُنْتُمْ تَعْمَلُونَ

"But if they strive to make thee join in worship with Me things of which thou hast no knowledge, obey them not; yet bear them company in this life with justice (and consideration), and follow the way of those who turn to me (in love): in the end the return of you all is to

Me, and I will tell you the truth (and meaning) of all that ye did."

(Ch: 31V:15) ⁸

Woman as a Wife

The rights and status of a wife is described accurately in the Qur'an and the Hadith. Islam gives her the worthy and glorious position as a wife. A woman becomes wife through marriage. She has the right to select her partner too. The Holy Qur'an describes the position of the wife in a beautiful verse, Holy Qur'an Says:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا
وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

"And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquillity with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect. " (Ch: 30 V: 21)⁹

Islam views the relationship between husband wife as the relation of love, affection and intimacy.

The Qur'an stated that God has created mates for man and women and these mates should become the source of mutual love, peace and completion for each other.

هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا
فَلَمَّا تَغَشَّاهَا حَمَلَتْ حَمْلًا خَفِيفًا فَمَرَّتْ بِهِ فَلَمَّا أَثْقَلَتْ دَعَوَا اللَّهَ
رَبَّهُمَا لِنِئْ أَتَيْنَنَا صَالِحًا لَنَكُونَنَّ مِنَ الشَّاكِرِينَ

"It is He who created you from a single person, and made his mate of like nature, in order that he might dwell with her (in love). When they are united, she bears a light burden and carries it about (unnoticed). When she grows heavy, they both pray to Allah their Lord, (saying): "If Thou givest us a goodly child, we vow we shall (ever) be grateful."
(Ch:7V:189)¹⁰

According to the Holy Qur'an men and women are the protector and component of each other, one completing the other. The Qur'an point out that the relationship of husband and wife is equal and close, husband is not superior to wife. While accepting the superiority of man in domestic life, woman enjoys various rights of maintenance allowance, residency and education and several other rights. Islam exhorts man not only to discharge the legal rights of his wife but to behave with her decently and justly. Prophet Muhammad (PBUH) in His last sermon instructed to treat the wives with kindness.

Prophet said:

"O! People it is true that you have certain rights to your women but they also have right over you. Remember that you have taken them as

your wives only Allah's trust and with His permission. If they abide by your right then to them belongs the right to be fed and clothed in kindness. Do treat your women well and be kind to them for they are your partner and committees helpers. And it is your right that they do not make friends with anyone whom you do not approve, as well as never be unchaste.” (Hajjat al wida)¹¹

Thus, polite treatment with wife is required in every condition. Sometimes man dislikes the face, nature and habits of his wife which affects their relationship. In such cases man is instructed to consider the better aspects of his wife. Prophet Muhammad (PBUH) advised man to tolerate and to keep patience because this unpleasantness may prove temporary. Where some act of her is unpleasant may be some other act of hers is pleasing to heart. Hazrat Abu Huraira narrated that Prophet (PBUH) said:

“A believer must not hate a believing woman; if he dislikes one of her traits, he will be pleased with another”¹²

Allah says in the Qur'an,

هُنَّ لِبَاسٌ لَّكُمْ وَأَنْتُمْ لِبَاسٌ لَّهُنَّ عَلِمَ اللَّهُ أَنَّكُمْ

“Your wives are your garments and ye are their garments.” (2:187)¹³

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ
وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ
اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ

*“The Believers’, men and women are the protectors of one another:
they enjoin what is just, and forbid what is evil: they observe
prayers, practise regular charity, and obey Allah and His Messenger.
On them will Allah pour His mercy: for Allah is exalted in power,
wise.” (Ch9:V:71)¹⁴*

Husband and wife should ignore the mistakes and give respect to each other; therefore it is the demand of morality and nobility. God does not place men above women or women above men their rights are reciprocal to each other.

Certainly, under the principle of the distribution of labour, work should be divided between the pair. Whether man is liable for the maintenance and protection of his family including wife, parents and children, woman has been authorised to take care of their children until they are grown up. Holy Qur’an provides several injunctions regarding the rights of a wife.

Holy Qur’an says:

وَأَتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَرِيئًا

“And give the women (on marriage) their dower as a free gift, but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with righty good cheer” (Ch:4 V:4)¹⁵

A wife is entitled some financial or private rights from her husband such as -

1. The husband should give his wife the marriage gift or Mahr (dower)
2. The wife will get full maintenance from her husband e.g. food, clothing, housing, education, medication etc.

Prophet (PBUH) clearly stated that: “feed her what you feed yourself with, her clothing should be of the same standard as yours, do not beat or abuse and rebuke her”¹⁶

3. Even if the wife is rich, she needs not to spend a single penny for her husband or family. All these are the responsibilities of her husband.
4. She has also the right to divorce her husband if necessary. (khul’a)
5. She can go to the court if her husband fails to meet her basic requirements.

6. The husband and wife have mutual inheritance rights from the time of marriage.

Woman as a Daughter

Islam has announced special merits on bringing up girls (daughters) - opposite to the thinking of the people of ignorance (age of 'Jahiliyah of the past and present) Since the people of ignorance - wherever and whenever found - hated (some of them 'still do') to have daughters and were grieved and angered by their births.

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ
يَتَوَارَىٰ مِنَ الْقَوْمِ مِن سُوءِ مَا بُشِّرَ بِهِ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ
فِي التُّرَابِ أَلَا سَاءَ مَا يَحْكُمُونَ

“When news is brought to one of them, of (the birth of) a female (child), his face darkens, and he is filled with inward grief! With shame does he hide himself from his people, because of the bad news he has had! Shall he retain it on (sufferance and) contempt, or bury it in the dust? Ah! What an evil (choice) they decide on.” (Ch:16:V:58-59)¹⁷

But the Messenger of Islam, Muhammad (P.B.U.H), came and elevating the status of the daughters, gift given by Allah. There is exhortation in Islam for the proper nourishment and substance of

daughters. It is regarded as a good deed and a means for attainment of Heaven.

*"Whoever takes care of two girls until they reach adulthood - he and I will come (together) on the Day of Resurrection - and he interlaced his fingers (meaning in Paradise)."*¹⁸

Therefore, it is upon the parents to accept whatever Allah's gift is with full pleasure and happiness, whether the gift is male or a female. Because being a male or being a female is due only to Allah's order alone – Holy Qur'an says;

لِلّٰهِ مُلْكُ السَّمَاوَاتِ وَالْأَرْضِ يَخْلُقُ مَا يَشَاءُ يَهَبُ لِمَنْ يَشَاءُ إِنَاثًا
وَيَهَبُ لِمَنْ يَشَاءُ الذُّكُورَ

*"To Allah belongs the dominion of the heavens and the earth. He creates what He wills (and plans). He bestows (children) male or female according to His Will (and Plan), " (Ch:42 V:49)*¹⁹

There are many Hadith in which the upbringing and nourishment of three daughters and sisters or even one daughter or sister is referred to as a means for entering paradise. Hadrat itba bin Amir relates that Prophet Muhammad (P.B.U.H) said:

*"If someone has three daughters and is patient with them and clothes them from his wealth, they will be a shield against the Fire for him."*²⁰

“Shall I show you the greatest sadaqa (or one of the greatest forms of sadaqa)?” He replied, “Yes, indeed, Messenger of Allah!” He said, “To provide for your daughter when she is returned to you and you are her sole source of provision.”²¹

This Hadith shows that the maintenance and support of the daughter until marriage and after divorce upon her parents and a divorcee daughter must be treated as she was before marriage.

Hadrat Aqba Bin Amir relates that Prophet Muhammad said: ‘do not hate girls they are comforter and much precious.’²¹

Islam confers on women all the political and social rights, which man enjoys. She is entitled to all the privileges bestowed upon man. Beside worldly matters, women are also equal to men in the spiritual sense

In this way Islam secured the legal and social right of women in the Islamic society.

Social Rights

It has been already discussed that man and woman are the component of each other and are same in the eye of God. God addresses both of them in an equal manner; both have to worship, give zakat, practice fast, forbid the evil and enjoins good.

Social rights contain the right to acquire knowledge, right to express and freedom of choice, right to justice, and right to honour and dignity, right to privacy, right to work.

Political Rights

It was more than 14000 years ago that the right to vote were given to the women. They were regarded full –fledged citizens capable of participating in all political activities.

When the women came to the prophet Muhammad (P.B.U.H.) and pledge their allegiance to him, he had to accept their oath .This incident established the right of a women to participate in political activities and in the selection of their leader.

Historical record shows that women participated in early public life. Accompanying Muslim armies in to battle fields to nurse the injured, to supply water, and prepare food for the warriors. They were not considered worthless creatures and poor soul, as we see in modern period. People are unaware of Islam’s true position on women due to old-age cultural practice. There are so many examples I have mentioned below through which one can easily understand the political role of women in the society.” Ibn Saad write about Umme

Saleet: 'Umme Saleet accepted Islam, did bait (Oath) and joined the battle of Khaibar and Hunain.'²²

Women took advantage of the liberty they participated effectively in public life; took part in prayers at the mosque together with the men. Thus, we can say that Islam grant woman her rightful place in the society, raising her status .She is considered an independent entity in Islam. For the first time she was given the right to education, right to justice and freedom, right to vote, right to own property, right to dower and maintenance.

Right to Education

It was Islam for the first time that opens the door of education for man and woman equally. Islam addresses both man and woman and made each one of them duty bound to get education of basic faith that is Qur'an and Hadith.

Hadrat Abu Huraire narrates that the Messenger of God is reported to have said: "One who travels to pursue a knowledge God facilitates for him the way to paradise."²³

Hadrat Anas narrates that the Messenger of God is reported to have declared:

“Best of your religion is the easiest one, and best of the prayer (Ibadah) is to understand the religion.”²³

After getting this education she can protect her right and duties as long as she is ignorant of them, she can neither protect her rights nor discharge her duties.

The Glorious Qur'an says,

فَتَعَالَى اللَّهُ الْمَلِكُ الْحَقُّ وَلَا تَعْجَلْ بِالْقُرْآنِ مِنْ قَبْلِ أَنْ يُقْضَىٰ إِلَيْكَ
وَحْيُهُ وَقُلْ رَبِّ زِدْنِي عِلْمًا

*“High above all is Allah, the King, and the Truth! Be not in haste with the Qur'an before its revelation to thee is completed, but say, "O my Lord! Advance me in knowledge” (Ch: 20 V: 114)*²⁵

At every place in the Holy Qur'an God addresses man and woman equally and ordered the same. There are so many female companions who were well-versed in Qur'an and Hadith. Among them 'Ayesha, Umm Salmah, Umm. 'Atiya, Safiyah, Asma Bint Abu Bakr, Khaula Bint Tawait (RAA) are most prominent.'

Right to Work and Undertake Business

In Islam every man and woman has the right to work, and the fruit of labour belongs to the one who worked. Whether man or woman. Allah says in the Holy Qur'an:ⁱ

وَلَا تَتَمَنَّوْا مَا فَضَّلَ اللَّهُ بِهِ بَعْضَكُمْ عَلَى بَعْضٍ لِلرِّجَالِ نَصِيبٌ مِّمَّا
اَكْتَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا اَكْتَسَبْنَ وَاسْأَلُوا اللَّهَ مِنْ فَضْلِهِ إِنَّ اللَّهَ
كَانَ بِكُلِّ شَيْءٍ عَلِيمًا

“And in no wise covet those things in which Allah Hath bestowed His gifts More freely on some of you than on others: To men is allotted what they earn, and to women what they earn: But ask Allah of His bounty. For Allah hath full knowledge of all things.” (Al-Nisa 4:32)²⁶

Islam also granted woman freedom of economic pursuits. She is allowed to go out for the attainment of good work. The study of history shows that women went for shopping and farm work during the early period of Islam. Hadrat ‘Ayesha (RAA) relates an incident which took place just after the revelation of commandment of veil. She says “when Hadart Umar Farooq (RAA) once saw Sauda (RAA) outside her house, and expressed his displeasure on this. She came away quietly and related the matter to the Holy Prophet (PBUH) soon after there was revelation upon him when it was over, the Holy Prophet told her:

“You (women) have been allowed to go out for your needs.”²⁷

There are such other instance which shows that Islamic society never prevented women from going outside for the right house and necessary requirements.

She is permitted to undertake a business like; agriculture, industry, teaching job, compilation of books. Though, there are some restrictions on her, whenever she leaves homes and goes out she has to remain within the protective bounds of her modesty. She is not permitted to move out freely and mingled with men in the social gathering. The reason of putting these restrictions are important for protect her modesty and chastity, and her activity should not affect her household job and family harmony.

Right to Maintenance

Before the marriage the responsibility of the girl's upbringing is given to the father. But after marriage her husband is responsible for her maintenance According to the Shariah the maintenance of the wife is compulsorily the responsibility of the husband

Freedom of Expression

Islam has permitted the freedom of speech to woman in all the religious affairs whether they are public or social .She is entitled to freedom of expression as much as man. Her opinion is taken into consideration and cannot be disregarded just because she belongs to the opposite sex. It is reported in the history of Islam that woman not only express her opinion freely but also argued and participated in

serious discussions with the prophet himself, as well as with other Muslim leaders

There are several instances when Muslim women express their views on the legislative and civil topics, and stood in the opposition to the Caliph. During the Caliphate of Hadrat Umar ibn -Al khattab stated that if anyone pays more as dower than what the Prophet (P.B.U.H.) used to pay, he would put that excess amount in the Public Treasury. A woman from the Quraish came to him and said, "O commander of the Faithful, does the Book of Allah have more right to be followed or your statement? He said, "The Book of Allah." So she then told him, "You have just prohibited the people from giving an excessive amount for dower but Allah has stated in the Holy Qur'an, "And if you have given them a great amount of gold as dower, take not the least bit of it back.'" [4:20] and then Umar said: "The Woman is correct and 'Umar is mistaken." Then he got back on the minbar and said, "O people, I used to forbid you from being excessive with respect to the dower of women. Verily a man may do whatever he sees fit with his wealth." ²⁸

Islam allows freedom of expression to woman as much as to man. During the prophet's time, women used to consult him regarding personal, political, religious, economic and social matters as well as

matters related to women's role in war. Sometimes they used to have frank and bold discussions with him; arguing and forcefully putting forth their own point of view in front of other companions. The prophet never discouraged them and always listened to all their problems peacefully and tried to satisfy them.

Spiritual Rights of Woman in Islam

The Qur'an provides strong evidence that women are equal to men in the sight of God in terms of their rights, duties and rewards.

“Whoever does righteousness, whether male or female, while he is a believer - We will surely cause him to live a good life, and we will surely give them their reward [in the Hereafter] according to the best of what they used to do?” (Ch: 16 V: 97)²⁹

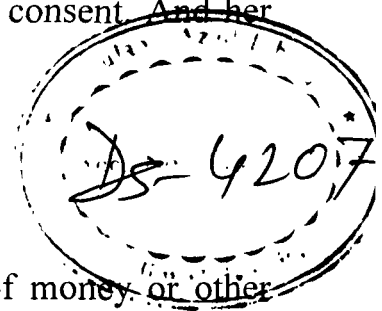
Allah promises pious Muslims, whether men or women, a huge reward in the Hereafter. “For Muslim men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who guard their chastity, and for men and women who engage much in Allah’s praise. For them has Allah prepared forgiveness and great reward?” (Ch: 33 V: 35)³⁰

Women are also given more privileges regarding their religious duties due to the biological differences between them and men. For example, women are exempted from doing their daily prayers and fasting during their menstrual periods and forty days after giving birth. Moreover, they are exempted from fasting when they are pregnant and when nursing their babies if it threatens their health or their baby's health. They can make up for the fasting they missed during Ramadan whenever they can. However, they are not required to make up for the prayers they missed for any of the above reason.

Right to Marriage

In our society the parents and elders make decisions and marry her without her opinion. Any type of her objection in this matter is considered most improper. It is usually said that she cannot make a proper decision due to immaturity. Her parents are more experienced and having knowledge of everything so, they cannot deceive her. The parents and guardians have their important role in the girl's marriage but Islam stressed the point that the permission of the girl is essential in this matter. In Islam she have right to negotiate marriage terms of her choice. She can express her opinion on any important issues. Abu Huraira (RAA) reports that Prophet (PUBH) said:

“The widow or a divorced shall not be given in marriage without asking for her permission and a virgin without her consent. And her silence is her consent.”³¹



Right to Dower

Dower (Mahr) is usually translated either a sum of money or other form of property which is given by the husband to his wife at the time of Nikah. According to the Holy Qur'an the Dower is given as a free gift by the husband to the wife at the time of contracting marriage.

Islam declared dower to be the exclusive property of the woman. In Islamic there is no limit prescribed by Islamic shari'ah about the amount of dower. It can be increased or decreased according to the financial status of the person. The concept of dower also existed during the period of jahiliya, but the Arabs had deprived their daughters of it in different ways. At that time the parents of women regarded dower as their own property and they used to marry their daughters in return of good dower. Islam abolished this entire unjust practice and entrusted dower exclusively for women.

Right to Honour and Dignity

Honour and dignity are a valuable asset of man. Playing with it cannot be allowed. Attacks on honour and dignity of a woman have been a

common practice and due to her weakness she has not been very successful to protecting herself. Sayed Jalauddin Omari in his book “Aurat islami muashre main” wrote:

There are two forms of attack on her: Qazaf (slandering), and fornication.

Qazaf means to question the honour and dignity of some woman and tarnishing her fair name by accusing her of fornication. According to Islam it is a great crime and the moral sin. The prophet (P.B.U.H.) has mentioned one of the seven mortal sins these words:

It is Qazaf or slandering chaste innocent believing but indiscreet woman.

According to Islamic law imposed the severe punishment of eighty lashes for calumniating a woman with illicit sex and such a person shall be debarred from appearing as a witness.³²

Allah says;

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ
تَمَانِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً أَبَدًا وَأُولَئِكَ هُمُ الْفَاسِقُونَ
إِلَّا الَّذِينَ تَابُوا مِنْ بَعْدِ ذَلِكَ وَأَصْلَحُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

And those who launch a charge against chaste women, and produce not four witnesses (to support their allegations),- flog them with

*eighty stripes; and reject their evidence ever after: for such men are wicked transgressors; Unless they repent thereafter and mend (their conduct); for Allah is Oft Forgiving, Most Merciful.(Ch:24 V:4-5)*³³

If any person is found guilty of raping a woman forcibly in case he is unmarried shall receive hundred cuts of the lash and shall be stoned till death if he married. However, if the woman as his partner co-operate with him she shall be liable to the same punishment.

In conclusion, we have long way to go and duty to uncover these beautiful concepts and correct misinterpretations of decades and centuries. It is a time to extend our potentialities and eradicate the oppressive and unjust restrictions to make way for the full participation and growth of women intellect and allow them to participate in their maximal contribution to the society at large.

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Chapter-III
Economic Rights of
Women in Islam

Islam is the only religion that established the independent economic position of woman since the very beginning, and provided financial security in the form of share in inheritance; dower (Mahr), which is obligatory to the husband to make a settlement on the wife, in proportion to his means, at the time of marriage. If at the time of the death of the husband the wife's dower remained unpaid, it ranks as a debt to be discharged out of his estate, in priority to all his other debts. Any property that a woman acquires by her own effort or inherit as an heir or receive as a legacy or gift, belongs to her independently of her husband. She may ask her husband to manage it, but if she chooses to manage or administer it herself, he cannot interfere in her management or administration.

The Holy Quran says:

وَلَا تَتَمَنَّوْا مَا فَضَّلَ اللَّهُ بِهِ بَعْضَكُمْ عَلَى بَعْضٍ لِلرِّجَالِ نَصِيبٌ
مِّمَّا اكْتَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا اكْتَسَبْنَ وَاسْأَلُوا اللَّهَ مِنْ فَضْلِهِ
إِنَّ اللَّهَ كَانَ بِكُلِّ شَيْءٍ عَلِيمًا

"Covet not that whereby Allah has made some of you excel others.

Men shall have a portion of that which they earn and women shall have a portion of that which they earn. Ask Allah alone of His bounty.

Surely Allah has perfect knowledge of all things." (Ch: 4V:32).¹

In Islam, woman can adopt any permissible occupation or business according to the situation, circumstances, abilities and liking. She was granted with the freedom of economic activity within certain limitations. In that case a woman's income is exclusively her own, no one can claim for it. She may spend it as she wills. She may choose to spend it on her husband and children, but this may be an act of goodness on her part, it's not a legal compulsion.

Millions of women all over the world are facing violence and deprivation in order to access to their basic rights including receiving inheritance, property and employment. Such kinds of violations are usually biased and in some cases even deadly affecting the women's status. Most of the women after being deprived of the right to inheritance and property are encountering poverty and economic instability thus struggling to fulfill basic family needs.

Economic Rights of Women in Islam

For securing the economic stability of woman, Islam has put sources at woman's disposal, by using of which she can be entitled to completely exercise her financial independence.

Employment of Women in Islam

Islam looks with disfavor at any attempt to get deeply involved in the worldly affairs and to dissipate totally one's effort to pursuit of worldly gains. Instead, it instructs its follow to develop an approach of satisfaction. However, if an individual earn wealth through legitimate means and lives in luxury, he is permitted to do so. Trade and commercial transaction are means to meet life's necessities and to ensure the possibility of prosperity. What is permissible to man should made permissible to woman and when she opts to trade or any other lawful plan under Islamic regulation to replace life under strained conditions with a life of ease and comfort. There are three requirements which is mainly focus bin Sharia with regard to the women's employment.

1. Islamic Sharia is not allowed to man or woman employment in the banking sector, distillery associated industries, casino and gambling, outlets and similar business.
2. A woman should have prior permission from her guardian or husband.
3. There should be no free mixing of people of opposite gender.²

The study of Sharia and the history of Islam prove the fact that employment of women. Under Islamic law is recognized as permitted act. During the period of Prophet Muhammad (PBUH) and his caliphs, women were busy in livestock, trade, agriculture and public services. Prophet Mohammad (PBUH) had chosen his wife from among the women running commercial affairs. There are several examples through which one can easily understand that Islam never prohibited women to go outside for livelihood.

Women in the field of Trade and Commerce

Woman can carry on any lawful business or trade without restriction, according to Islamic Shar'iah.

A sahabia named Qeela (RAA) said to the Holy Prophet (PBUH), "I am a woman who buys and sells different commodities and want to know the principles of trade."

During the caliphate of Hadrat Umar Farooq (RAA), Abdullah bin Abi Rabiya used to send '*itr*' (scent) to his mother Asma from Yeman and she carried on its business.³

Women in Agriculture

Woman is also free to go on her farm and work there. Jabir bin Abdullah (RAA) says that his aunt was divorced by her husband. She

decided to cut and sell a few trees during the period of her *iddat*. So went to the Holy Prophet (PBUH) to seek his advice. The Prophet said, “Go on to your field, cut your date trees and sell. You may give the earned money in charity or use it for some other good purposes and thus you may be rewarded in the hereafter.”⁴

Women in Industries

Woman participated in industrial activities also. Hadrat Abdullah bin Masood’s (RAA) wife ran an industry very successfully and supported her husband and children through its income.

Likewise, Khaula bint Sa’lba (RAA) earned through the industrial work and maintained her husband.⁵

Women were given right in The Qur’an to contribute to the economy by owning and selling property or to choose any occupation according to their liking, 1400 years ago. The history of Islam shows that woman went for trade, commerce and farm-work during early period of Islam. Thus, Islam wants woman to be independent, perform good deeds and serve mankind in a rightful manner.

Financial security and inheritance:

Islam entitled women for inheritance rights in different cases according to the degree of relationship. The inheritance is one of the main economic sources for women.

The verse 34 of chapter 4th of the Holy Qur'an commands that:

الرَّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ
وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ فَالصَّالِحَاتُ قَانِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا
حَفِظَ اللَّهُ وَاللَّاتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَاهْجُرُوهُنَّ فِي
الْمَضَاجِعِ وَاضْرِبُوهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ
كَانَ عَلِيًّا كَبِيرًا

*“Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (Next), refuse to share their beds, (And last) beat them (lightly); but if they return to obedience, seek not against them Means (of annoyance): For Allah is Most High, great (above you all).” (Ch4: V: 34)*⁶

After reading this verse it becomes clear that the responsibility of earning the family's bread is on men and they are the protector and maintainer of the women. If both husband and wife are well-off, a

servant for household duties and the arrangement of healthcare are also included in the expenses of men. Islam did not impose women any responsibility to make their economic position stable but entrusted them with a more stable economic position than that of the men.

She is not responsible for the support of her own children, her father or any other close relatives. In fact, she does not have to support even herself. In childhood and early youth the father looks after her need and after marriage the husband has to bear all of her expenses.

She has been allowed a share in inheritance. She must get her share in the property of her father, husband and her children. She gets her Dower from the husband. In certain situations she also becomes permitted to a share in the property of her brother and sister.

In this way, the Islamic economic order for the women is not under any compulsion to leave her home and go out for searching a livelihood. She is free to choose what she likes.

Dower

“The term ‘mahr’ is frequently rendered into English as ‘dower.’⁷

Dower is a portion that is taken from a deceased mans wealth for the maintenance of his widow until her death or re-marriage when it reverts to the heirs of the estate. Whereas, dowry is a gift from either

the bride or the groom in a marriage or at engagement that becomes part of the marital property.

Islam has ordained man to marry with woman, after paying dower (mahr), without which Nikah is not valid. The concept of dower also existed during the period of jahiliya. But the Arabs had practically deprived her of it.

According to the Holy Qur'an dower (mahr) is given as a free gift by the husband to the wife at the time of contracting marriage:

وَأَتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا

“And give the women (on marriage) their dower as a free gift.” (Ch: 4 V: 4)⁸

Although the *mahr* is an obligatory and essential element of the *'aqd al-Nikāh* the *shari'ah* does not set a maximum value upon the gift but its minimum value is specified.

It is to be adjusted by the social status and wealth of the husband.

According to Prophet Muhammad (PBUH), it may be a ring or a stipulation to barley or dates. It may even be fixed on condition of accepting the religion of Islam.

This value of dower is derived from the Hadith Narrated Sahl bin Sa'd As-Sa'idi: A woman came to Allah's Apostle and said, "O Allah's

Apostle! I have come to give you myself in marriage (without Mahr)." Allah's Apostle looked at her. He looked at her carefully and fixed his glance on her and then lowered his head. When the lady saw that he did not say anything, she sat down. A man from his companions got up and said, "O Allah's Apostle! If you are not in need of her, then marry her to me." The Prophet said, "Have you got anything to offer?" The man said, "No, by Allah, O Allah's Apostle!" The Prophet said (to him), "Go to your family and see if you have something." The man went and returned, saying, "No, by Allah, I have not found anything." Allah's Apostle said, "(Go again) and look for something, even if it is an iron ring." He went again and returned, saying, "No, by Allah, O Allah's Apostle! I could not find even an iron ring, but this is my Izar (waist sheet)." He had no rida. He added, "I give half of it to her." Allah's Apostle said, "What will she do with your Izar? If you wear it, she will be naked, and if she wears it, you will be naked." So that man sat down for a long while and then got up (to depart). When Allah's Apostle saw him going, he ordered that he be called back. When he came, the Prophet said, "How much of the Qur'an do you know?" He said, "I know such Surah and such Surah," counting them. The Prophet said, "Do you know them by heart?" He replied, "Yes." The

Prophet said, "Go, I marry her to you for that much of the Qur'an which you have."⁹

The 'Mahr' of Hazrat Fatime (RAA) daughter of Prophet (PBUH) was 400 dirhams. Abu Salam bin 'Abd al-Rahman reported, I asked 'Aisha', the wife of Allah's Messenger (PBUH), what is the amount of dower of Allah's Messenger (PUBH)? She said, "it was twelve uqiya and one nash." She said, "do you know what al-nash is?", I said, No, She said: it is half of *uqiya* and it amounts to five hundred dirhams, and that was the dower given by Allah's Messenger (PBUH) to his wife.¹⁰

Maintenance (Nafqah)

Shareef Chaudhry discussed in his book, "Women rights in Islam", about the '*Nafaqah*' of woman as:

Islamic law and Fiqh regarding maintenance of the women lay down the following principles –

The meaning of "*Nafqah*", which is the Arabic equivalent of "maintenance", is what a person spends on his family. Maintenance includes food, clothing and lodging.

The husband is bound to maintain his wife. Her right to receive maintenance is absolute even if she is very rich and owns a lot of

property. The husband is bound to maintain his wife (unless she is too young for matrimonial intercourse), so long as she is faithful to him and obeys his reasonable orders. But he is not bound to maintain a wife who refuses herself to him or is otherwise disobedient, unless the refusal or disobedience is justified by non-payment of prompt dower or she leaves the husband's house on account of his cruelty. It is incumbent on the man to provide maintenance to his wife, whether she is rich or poor, adult or minor. Dr. Hamidullah writes: The notion of the maintenance goes so far in Islam that, according to the law, a wife is not obliged even to give her breast to her suckling; it is the duty of the father of the child to procure for it a foster mother at his own expense, if the mother wants to suckle it.¹¹

Maintenance of the Nursing Mothers

The Qur'an makes it clear that the responsibility for maintaining nursing mother rests on the father of the child and if father is deceased then it is the duty of father's heirs to take care of the nursing mother properly.

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ
وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا
وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بَوْلِهَا وَلَا مَوْلُودٌ لَهُ بَوْلُهُ وَعَلَى الْوَارِثِ مِثْلُ

ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

“The mothers shall give suck to their offspring for two whole years, if the father desires to complete the term. But he shall bear the cost of their food and clothing on equitable terms. No soul shall have a burden laid on it greater than it can bear. No mother shall be treated unfairly on account of her child. Nor father on account of his child, an heir shall be chargeable in the same way. If they both decide on weaning, by mutual consent, and after due consultation, there is no blame on them. If ye decide on a foster-mother for your offspring, there is no blame on you, provided ye pay (the mother) what ye offered, on equitable terms. But fear Allah and know that Allah sees well what ye do.” (Ch: 2 V: 233)¹²

Maintenance for a Divorcee Woman

Duty of providing maintenance to the women is so important that the Qur'an makes even the divorced women entitled to it during the period of *Iddah*, when the husband would provide her food, clothing and lodging and cannot expel her from his house:

أَيُّهَا النَّبِيُّ إِذَا طَلَقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ
وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ
يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيَّنَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ
ظَلَمَ نَفْسَهُ لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا

“O Prophet! When ye do divorce women, divorce them at their prescribed periods, and count (accurately), their prescribed periods: And fear Allah your Lord: and turn them not out of their houses, nor shall they (themselves) leave, except in case they are guilty of some open lewdness, those are limits set by Allah. And any who transgresses the limits of Allah, does verily wrong his (own) soul: thou knowest not if perchance Allah will bring about thereafter some new situation. (Ch: 65 V: 1)¹³

If she is expecting, the husband is bound to maintain her till delivery and in case she suckles the child she would be entitled to receive the due payment for this service:

أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِنْ وُجْدِكُمْ وَلَا تُضَارُّوهُنَّ لِئُضَيِّقُوا عَلَيْهِنَّ وَإِنْ
كُنَّ أُولَاتٍ حَمْلٍ فَأَنْفِقُوا عَلَيْهِنَّ حَتَّى يَضَعْنَ حَمْلَهُنَّ فَإِنْ أَرْضَعْنَ لَكُمْ
فَأَتَوْهُنَّ أَجُورَهُنَّ وَأَتَمِّرُوا بَيْنَكُمْ بِمَعْرُوفٍ وَإِنْ تَعَاسَرْتُمْ فَسْتَزْضِعْ لَهُ
أُخْرَى

“Let the women live (in'iddah) in the same style as ye live, according to your means: Annoy them not, so as to restrict them. And if they

carry (life in their wombs), then spend (your substance) on them until they deliver their burden: and if they suckle your (offspring), give them their recompense: and take mutual counsel together, according to what is just and reasonable. And if ye find yourselves in difficulties, let another woman suckle (the child) on the (father's) behalf.” (Ch: 65 V: 6).¹⁴

Inheritance:

Here, I have mentioned the main verses of Holy Quran about inheritance rights of women. The 4th chapter of the Holy Qur'an called, 'The Woman' (Al-Nisa) details in a just manner the share of inheritance that is due to each individual, male and female. According to this chapter, 'women are no longer allowed to be inherited like chattels but, as individuals, they have a legal right to inheritance.' Men shall have a share in what their parents and kinsmen leave, and women shall have a share in what their parents and kinsmen leave, whether it be little or much, it is legally theirs.

Holy Qur'an says:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ
الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا

From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large, - a determinate share (Ch 4: V: 7)¹⁵

Inheritance Right of Daughter

The eleventh verse of Holy Quran's chapter Nisa' declare the inheritance right of women in different role. Regarding the inheritance of rights of daughters Holy Qur'an proclaimed that:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمُ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَهُ أَبَوَاهُ فَلِلأُمِّهِ الثُّلُثُ فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِلأُمِّهِ السُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِّنَ اللَّهِ إِنْ اللَّهُ كَانَ عَلِيمًا حَكِيمًا

God (thus) directs you as regards your Children's (inheritance); to that of two females, if only daughters, two or more, their share are two-thirds of the inheritance; if only one, her share is a half." (Ch: 4 V: 11)¹⁶

Where the deceased leaves behind his sons and daughters both, daughter gets equal to one half of the share of son. If the deceased leaves only one daughter and no son, the daughter is entitled to half of the inheritance. In case of two or more daughters but no son, the

daughters would get two third of inheritance and share it equally divided between them.

Inheritance right of Sister

“If the man or women whose inheritance is in question, has left neither ascendants nor descendents, but has left a brother or sister, each one of the two gets a sixth; but if more than two, they share in a third”
(Ch:4:V:11)¹⁷

If the deceased is not survived by parents and children but leaves behind uterine brother and a sister each would get one sixth and in case of more brothers and sisters, they would get in one third share.

Inheritance right of Mother

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنِ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِنَ اللَّهِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Holy Qur'an says:

“For parents, a sixth share of the inheritance to each, if the divorced left children; if no children and the parents are the only heirs, the mother has a third”.(Ch:4V:11)¹⁸

If the deceased leaves a child and parents, each of the parents, mother and father, would inherit one sixth share of the heritage. If the deceased leaves no children and no brothers or sisters and his parents are the only heirs, mother would get one third and father the remaining two third of inheritance. In case where the deceased leaves no child but leaves parents, brothers and sisters, the mother would get one sixth share of heritage

Inheritance right of Wife

وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَ مِنْ بَعْدِ وَصِيَّةٍ يُوصِيْنَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَنَّ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَتُمْ مِنْ بَعْدِ وَصِيَّةٍ يُوصَوْنَ بِهَا أَوْ دَيْنٍ وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ

“In what your wives leave, your share is a half, if they leave no child; but if they leave a child, ye get a fourth; after payment of legacies and debts. In what ye leave, their share is a fourth, if ye leave no child; but if ye leave a child, they get an eighth; after payment of legacies and debts. If the man or woman whose inheritance is in question, has left neither ascendants nor descendants, but has left a brother or a sister,

each one of the two gets a sixth; but if more than two, ~~they share in a~~
third; after payment of legacies and debts; so that no loss is caused (to
any one). Thus is it ordained by Allah and Allah is All-knowing, Most
Forbearing.”(Ch: 4V:12)¹⁹

Where the husband dies leaving no child but his wife, the wife would
get one fourth. Of his estate. If he leaves child or children along with
wife, the wife would get one eighth. In case of more than one wife,
they would share equally in one fourth or one eighth.

Some critics refer the verse 11 of chapter Al-Nisa that allows the
brother to take twice as much as the share of the sisters. They say,
there is a clear implication in this verse that women are inferior to
men. This argument has been used by both Muslims and Non
Muslims. But this is not true in all cases. It does not mean that the
lesser share is regarded as inferior. Sometimes the share of a deceased
person's mother is twice if he has no children. The issue of inheritance
in Islam is entirely based on the socio economic circumstances.

According to Ruth France Woodsmall author of, “Muslim women
enters new world”, “The position of women is secure as far as
inheritance is concerned. Although women have been given half the
share of men but, their financial situation in the long term is

guaranteed. This is due to the fact that the marriage contract gives her the right to ask for Mahr, as well as claim for maintenance.”²⁰

So, an explanation of this inequality is necessary to remove this misconception that the female is inferior in economic system of Islam. Male takes a share double that of a female; it does not show that male is superior to female.

Islam has placed the responsibility of earning livelihood for the family on the shoulders of the male members while the females have been exempted from this burden. A woman when she is unmarried lives with her parents and her father is responsible for providing all her expenses and in case of the death of her father, her brothers becomes responsible for the maintenance and also for meeting her marriage expenses. After marriage she is entitled to maintenance from her husband. In addition to food, clothing and residence, all her expenses are met by her husband. If the husband is poor and she spends out of her personal property for her family, she is entitled to take it back from her husband, when the latter is in easy circumstances. Besides maintenance, the woman is also entitled to receive dower from the husband which is the most essential feature of a Muslim marriage. Amounts of dower are normally reasonable in Muslim marriages and

the contracted dower, how much it may be, has to be paid by the husband and in case of his death, from his estate as a debt. In old age also the entitlement of the woman for maintenance continues and if her husband dies and she is unable to live on her share of the estate of the deceased, she can claim maintenance from her children. Thus it is clear that a woman has practically very few material needs to satisfy on her own account as compared with a man who has been burdened with very heavy economic obligations and liabilities. In this situation there is ample justification for giving a man greater share in inheritance.

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Conclusion

Islam is a divine religion revealed by the Beneficent and Omniscient, as opposed to man-made laws that dictate artificial boundaries, privileges, and monopolies. Islam is everlasting and universal, for the whole of mankind, male and female, rich and poor, the ruler and ruled, and strong and weak, whether white, black. All equal in the Sight of Allah (The Almighty)

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

O mankind! reverence your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;- reverence Allah, through whom ye demand your mutual (rights), and (reverence) the wombs (That bore you): for Allah ever watches over you.(Ch :4 V:1)

The teachings of Islam removed all artificial differences between man and woman and place them equally. The advent of Islam brought profound changes to the Arabian society. Before Islam a woman was underestimated and considered as a mean creature. It was Islam who took out her from the bottom of ignorance and hatred.

Islam was the first religion to put ban on the female infanticide widely practiced by pagan Arabs and other civilizations. Islam restored the

rights of women when they were taking away from her. It was Islam who made women aware of their rights and give them identity, in terms of equality, freedom, and also socio-political and economic rights. Islam took out her from the history of subjugation and the domination.

As a consequence for claiming conservativeness and down grade of women one must need to have a glance at the rights given to her in Islam .She is more rationally freethinking in social context more liberal, more pure ethically and superior at spiritual level ,In legal aspect they treat equally and also has a right to be independent economically, obviously she has absolute advantage religiously over the opponent sex .It shows the bestow esteem and privilege of a women in Islam , so it's obligatory to spread the consciousness and give detail of the liberal face of Islam to the world.

To understand the attitude of Islam towards woman I have sum out the following points:

1. Woman is recognized by Islam as a full and equal partner of man in the procreation of humankind. She has an equal share in every aspect. She is entitled to equal rights, to undertake equal responsibilities.

2. She is equal to man in bearing personal and common responsibilities and in receiving rewards for her deeds. She is acknowledged as an independent personality, in possession of human qualities and worthy of spiritual aspirations.
3. She is equal to man in the pursuit of education and knowledge. When Islam enjoins the seeking of knowledge upon Muslims, it makes no distinction between man and woman.
4. She is entitled to freedom of expression as much as man is. Her sound opinions are taken into consideration and cannot be disregarded just because she belongs to the opposite sex.
5. Islam grants woman equal rights to contract, to enterprise, to earn and possess independently. Her life, her property, her honour are as sacred as those of man. If she commits any offense, her penalty is no less or more than of man's in a similar case. If she is wronged or harmed, she gets due compensations equal to what a man in her position would get.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلِ الْحُرُّ بِالْحُرِّ وَالْعَبْدُ
بِالْعَبْدِ وَالْأُنثَى بِالْأُنثَى فَمَنْ عُفِيَ لَهُ مِنْ أَخِيهِ شَيْءٌ فَاتَّبَاعُ بِالْمَعْرُوفِ وَأَدَاءٌ
إِلَيْهِ بِإِحْسَانٍ ذَلِكَ تَخْفِيفٌ مِّن رَّبِّكُمْ وَرَحْمَةٌ فَمَنْ اعْتَدَى بَعْدَ ذَلِكَ فَلَهُ عَذَابٌ
أَلِيمٌ

O ye who believe! the law of equality is prescribed to you in cases of murder: the free for the free, the slave for the slave, the woman for the woman. But if any remission is made by the brother of the slain, then grant any reasonable demand, and compensate him with handsome gratitude, this is a concession and a Mercy from your Lord. After this whoever exceeds the limits shall be in grave penalty. (Ch: 2V:178)

6. Woman enjoys certain privileges of which man is deprived. She is exempt from some religious duties, i.e., prayers and fasting, in her regular periods and at times of confinement. She is exempt from all financial liabilities. Woman as a mother enjoys extra privileges and admiration in Islam. The Prophet acknowledged this honour when he declared that Paradise is under the feet of the mothers.
7. Islam entitled woman to accumulate wealth in a variety of ways, such as in right to dower (*mahr*), right to work, and right to inheritance; she consider as an independent legal entity in Islam, that retains her own name and financial independence before and after marriage women are entitled to retain all and any of their wealth and earnings for themselves without having to consult their spouse.

After these points it is become much clear that the status of woman in Islam is unprecedentedly high and realistically suitable to her nature. Her rights and duties are equal to those of man but not necessarily or completely identical with them. If she is deprived of one thing in some aspect, she is fully compensated for it with more things in many other aspects. The fact that she belongs to the female sex has no bearing on her human status or independent personality, and it is no basis for justification of prejudice against her or injustice to her persona. Islam gives her as much as is required for her. Her rights match beautifully with her duties. She has incredible economic significance under the banner of Islam.

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